

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Boronkay

**Application No.** 10/075,405

FILED VIA EFS ON February 16, 2010

**Filed:** February 13, 2002

**Confirmation No.** 7581

**For:** LIGHTWEIGHT CONCRETE WITH  
INCREASED STRENGTH AND METHOD  
FOR PRODUCING THE SAME

**Examiner:** Elizabeth D. Wood

**Art Unit:** 1755

**Attorney Reference No.** 6520-62361-01

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Power of Attorney by Assignee, Revocation of Prior Powers, and Change of Correspondence Address Accompanied by a Statement Under 37 CFR 3.73(b)
- ☒ Patents Assignment
- ☒ The Director is hereby authorized to charge any fees that may be required to Deposit Account No. 02-4550.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
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By   
Michael P. Girard  
Registration No. 38,467

cc: Docketing

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FILED VIA EFS

ON FEBRUARY 16, 2010

SUBMITTED VIA ELECTRONIC FILING SYSTEM  
COMMISSIONER FOR PATENTS

**POWER OF ATTORNEY BY ASSIGNEE, REVOCATION OF PRIOR POWERS,  
AND CHANGE OF CORRESPONDENCE ADDRESS  
ACCOMPANIED BY A STATEMENT UNDER 37 C.F.R. 3.73(b)**

The Assignee hereby revokes any prior powers of attorney for this matter, and appoints practitioners associated with **Customer Number 24197** to transact all business in the U.S. Patent and Trademark Office connected with the referenced application and all continuations and divisional thereof.

Lacuna Inc. is the assignee of the entire right, title and interest of the patent application as evidenced in an assignment from the named inventors. A Statement Under 37 C.F.R. 3.73(b) is submitted herewith.

Please address all correspondence to **Customer Number 24197** at:

**KLARQUIST SPARKMAN, LLP**  
One World Trade Center, Suite 1600  
121 SW Salmon Street  
Portland, OR 97204-2988  
Telephone: 503-595-5300  
Fax: 503-595-5301

Address all telephone calls to Michael P. Girard at telephone number (503) 595-5300.

The undersigned is authorized to sign this Power of Attorney by Assignee on behalf of the assignee.

Executed at Phoenix, AZ <sup>Arizona</sup> on the 15 day of February, 2010.  
(city and state)

Lacuna Inc.

By 

Name Dale R. Siens

Title President and CEO

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SUBMITTED VIA ELECTRONIC FILING SYSTEM  
COMMISSIONER FOR PATENTSSTATEMENT UNDER 37 CFR 3.73(h)

LACUNA, INC., a corporation states that it is the assignee of the entire right, title, and interest in the patent application above by virtue of a chain of title from the inventor(s), to the current assignee of the patent application/patent identified above, as follows:

From the inventor(s) to Apex Construction Systems, Inc. as follows:

Application No./Patent No.	Inventor(s) (Assignor(s))	Assignee	Recorded (Reel/Frame)	On (Date)
11/648,102	Franklin David Davies, Laurian Dobrota, Rudolf Alfred Heijden, Richard Kay, Robert H. Nippert	Apex Construction Systems, Inc.	019142/0257-0282	04/10/2007
11/648,716	Franklin David Davies, Laurian Dobrota, Rudolf Alfred Heijden, Richard Kay, Robert H. Nippert	Apex Construction Systems, Inc.	019142/0024-0049	04/10/2007
11/648,850	Franklin David Davies, Rudolf Alfred Heijden, Richard Kay, George Briggs Middleton, Robert H. Nippert	Apex Construction Systems, Inc.	019142/0182-0207	04/10/2007

6,746,532	Gabor Boronkay	Apex Construction Systems, Inc.	015788/0602-0605	02/25/2005
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From Apex Construction Systems, Inc. to Arxx Corp., which document was recorded in the United States Patent and Trademark Office at Reel 020733, Frame 0824, recorded on April 1, 2008; and

From Arxx Corp. to Lacuna Inc., which document is being concurrently submitted for record in the United States Patent and Trademark Office and a copy thereof is attached.

☒ As required by 37 C.F.R. 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 C.F.R. 3.11.

The undersigned is authorized to sign this Statement Under 37 CFR 3.73(b) on behalf of the assignee.

Executed at Phoenix, AZ <sup>APTECWA</sup> on the 15 day of February, 2010.  
(city and state)

LACUNA INC.

By 

Name Dale R. Siens

Title President and CEO

## PATENTS ASSIGNMENT

WHEREAS Arxx Corporation, a Delaware corporation ("**Assignor**") desires to sell, transfer, convey, assign, and deliver the patents and patent applications specified in Exhibit A attached hereto (collectively, "**Assigned Patents and Applications**"); and

WHEREAS, Lacuna Inc., an Oregon corporation ("**Assignee**") desires to acquire the entire right, title, and interest in and to the Assigned Patents and Applications;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by Assignee, Assignor does hereby sell, transfer, convey, assign, and deliver to Assignee the entire right, title, and interest in and to the Assigned Patents and Applications, and any and all patent applications, patents, continuations, continuations-in-part, divisions, reissues, renewals, and extensions thereof, in the United States of America and elsewhere throughout the world, and all inventions disclosed therein (collectively, "**Assigned Patent Rights**"), all to be held and enjoyed by Assignee and its successors and assigns, entirely as the same would have been held and enjoyed by Assignor had this Assignment not been made, and further with all rights of action, powers and benefit to the Assigned Patents and Applications, due or accrued, including the right to sue for and recover in Assignee's own name and that of its successors and assigns and other legal representatives all remedies of every nature, including, without limitation, rights to injunctive relief, damages, profits, costs and attorney fees, arising out of any known or unknown past infringement of the Assigned Patents and Applications. This Assignment shall inure to the benefit of and be binding upon Assignee and Assignor and their respective successors and assigns.

Assignor further agrees that it will execute, verify, acknowledge and deliver all reasonably required further papers, including any instruments of transfer and recordable assignments, and perform such other acts as Assignee lawfully and reasonably may request from time to time, to perfect and vest title to the Assigned Patent Rights in Assignee, or Assignee's successors and assigns.

Assignor will deliver, within 30 days following the date of execution on the signature block below, copies of all prosecution files of the Assigned Patents and Applications to counsel for Assignee, excluding attorney-client privileged communications. In exchange for reimbursement of its out-of-pocket costs, Assignor will provide access to all documents and witnesses under its control in connection with any enforcement activities of Assignee in connection with the Assigned Patent Rights.

[this space intentionally blank]

IN WITNESS WHEREOF, Assignor has executed this Assignment effective as of January 29, 2010.

ARXX CORPORATION

By: Mourant  
Name: P. Gael Mourant  
Title: Chief Executive Officer

This instrument was acknowledged before me on January 29, 2010, by

\_\_\_\_\_

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

1-29-10

# Exhibit A to Patents Assignment

<b>Title</b>	<b>Patent/ Pub #</b>	<b>Issue/ Publication Date</b>	<b>Comments</b>
Lightweight Concrete with Increased Strength and Method for Producing the Same	6,746,532	6/8/2004	App. No. - 10/075,405 Filed 2/13/02 Status - Patented  Next fee window opens 6/8/2011. Patent expires 6/8/2012 if maintenance fee not paid.
Compacting Techniques for Forming Lightweight Concrete Building Blocks	2008/0157430	7/3/2008	App. No. - 11/648,102 Filed - December 29, 2006
Compacting Techniques for Forming Lightweight Concrete Building Blocks	WO/2008/083007*	July 10, 2008	App. No. - PCT/US2007/088209 Filed - 12/19/07
Compactable Mold for Forming Building Blocks	2008/0160126	7/3/2008	App. No. - 11/648,716 Filed - December 29, 2006
Compactable Mold for Forming Building Blocks	WO/2008/083006*	July 10, 2008	App. No. - PCT/US2007/088208 Filed - 12/19/07
Techniques and Tools for Assembling and Disassembling Compactable Molds and Forming Building Blocks	2008/0156963	7/3/2008	App. No. - 11/648,850 Filed - December 29, 2006
Techniques and Tools for Assembling and Disassembling Compactable Molds and Forming Building Blocks	WO/2008/083005*	July 10, 2008	App. No. - PCT/US2007/088205 Filed - 12/19/07

\* The international phase of the PCT patent applications passed in the summer of 2009 and Arxx Corporation decided not to pursue foreign national phase filings for these applications.